

REMARKS

Claims 1-45 are now pending in the application. Minor amendments have been made to the claims to simply overcome the objections to and rejections of the claims under 35 U.S.C. § 112. The specification has been amended at Paragraph 32 to address a mere clerical error, where the word "weight" has been removed. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not narrowing amendments. Support for these amendments to the claims is found throughout Applicant's specification and claims as originally filed, and no new matter has been added. Applicant requests entry of these amendments. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

OBJECTIONS TO THE CLAIMS

Claims 6 and 32 stand objected to for informalities related to claim language commonly found in both Claims 6 and 32.

Per the Examiner's suggestion, Claims 6 and 32 have been amended to recite "wherein said one or more elements selected from Groups 4, 5, 10 or 11" for the sake of clarity. Applicant believes that these amendments to the claims fully address the objections to the claims.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-45 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Claims 1 and 16 have been amended to clarify the presently claimed invention, and now recite in the preamble that an electrically conductive element is for use in a fuel cell, which is consistent with Claim 28, which also recites that an electrically conductive element is for use in a fuel cell. Thus, Claims 1, 16, and 28 now consistently recite an intended use or purpose for the electrically conductive element within a fuel cell.

Claim 28 has been amended to eliminate the reference to “titanium-based coating” and presently refers to the limitation “conductive corrosion-resistant coating” which has a proper antecedent basis in the claims.

Claim 45 has been amended to recite fluoro-elastomers as a genus of polymers, which as appreciated by one of skill in the art encompasses polyvinylidene fluoride. The explicit reference to an example of a species falling within a genus of fluoroelastomers has been removed from Claim 45.

In light of the foregoing amendments, Applicant now believes that the amendments to Claims 1, 16, 28, and 45 overcome the rejections by more particularly pointing out and distinctly claiming the invention. As such, Applicant requests reconsideration of the claims and allowance thereof.

ALLOWABLE SUBJECT MATTER

The Examiner has indicated that Claims 1-45 contain allowable subject matter. Applicant thanks the Examiner for the thorough consideration of the claims in view of the art and for the indication of allowable subject matter.

The Examiner states that Claims 1, 16 and 28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph. Further, the Examiner states that Claims 2-15, 17-27 and 29-45 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicant has amended Claims 1, 16, 28 and 45 as indicated above to clarify the presently claimed invention and to address the rejection of the claims under 35 U.S.C. § 112. As Applicant believes that independent Claims 1, 16, and 28 are now in condition for allowance, Applicant likewise believes that Claims 2-15, 17-27 and 29-45 are also allowable. Accordingly, Applicant respectfully submits that Claims 1-45 should be allowable.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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